

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PROGRESSIVE NORTHERN INSURANCE
COMPANY.

Plaintiff,
-against-

DANIEL BELTEMPO, FRANCINE BELTEMPO,
PAMJAM, INC., JILCO EQUIPMENT LEASING
COMPANY, INC., DANA'S PRO TRUCKING INC.,
TRAILMOBILE CORP., TRAILMOBILE PARTS AND
SERVICE CORP., THERMO KING CORP.,
INGERSOLL-RAND CO., LTD., and THERMO KING
CORP., A UNIT OF INGERSOLL-RAND COMPANY
LTD.,

Defendants.

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S I R S :

PLEASE TAKE NOTICE, that pursuant to the applicable rules of the FRCP §34, you are hereby required to produce for discovery and inspection and photocopying, at the office of LAW OFFICE OF LORI D. FISHMAN, 303 South Broadway, Suite 435, Tarrytown, NY 10591, on **June 19, 2006**, at 10:00 a.m., the following documents:

1. Any documents concerning any and all policies of insurance which name, or allegedly name, as an insured or include, or allegedly include, as an additional insured, **Pamjam, Inc.**, which allegedly were in effect during the time period relevant to this action and the action in New York State Supreme Court, County of Orange, 7209/2005 (The "underlying action").
2. Any documents concerning communications regarding whether, and/or any other entity is obligated **Trailmobile Parts & Service Corporation and Trailmobile Corporation** to defend and/or indemnify **Pamjam, Inc.** in connection with the underlying action.
3. Any and all documents concerning communications between **Pamjam, Inc.** on the one hand, and **Trailmobile Parts & Service Corporation and Trailmobile Corporation** concerning the alleged accident and/or underlying action.
4. Any and all documents concerning any alleged damages, costs, disbursements,

expenses and/or attorneys' fees allegedly incurred by the plaintiff in connection with the claims alleged herein.

5. Copies of any and all policies of insurance issued by any insurance company to **Pamjam, Inc.** encompassing the time period at issue in this action and/or underlying action.

PLEASE TAKE FURTHER NOTICE that upon your failure to produce the aforesaid documents and information at the time and place required in this Notice, a motion will be made for appropriate relief to the Court.

PLEASE TAKE FURTHER NOTICE, that in lieu of producing the items demanded herein, the defendants may submit to the undersigned true and conformed copies of the items demanded herein at any time prior to the aforementioned date.

PLEASE TAKE FURTHER NOTICE, that the foregoing demand is a continuous demand. In the event any of the items are obtained after service of this demand, they are to be furnished or made available for inspection pursuant to this demand.

DATED: Tarrytown, New York
July 03, 2007

Yours etc.,

LAW OFFICE OF LORI D. FISHMAN

GEORGE R. DIETER (GRD 0268)
Attorney for Defendants
Trailmobile Corporation and
Trailmobile Parts & Service
Corporation
303 South Broadway, Suite 435
Tarrytown, NY 10591
(914) 524-5600
File # 107220081

TO: BURATTI, KAPLAN MCCARTHY & MCCARTHY
Attorney for Plaintiff
One Executive Boulevard - Suite 280
Yonkers, NY 10701
(914) 378-3900

BAUMAN, KUNKIS & OCASCIO-DOUGLAS, P.C.

Attorney for Defendants

Daniel Beltempo & Francine Beltempo

225 West 34th Street

New York, NY 10122

212-564-3555

KENNY SHELTON LIPTAK NOWAK, LLP

Attorney for Defendant

Dana's Pro Trucking, Inc.

14 Lafayette Square Suite 510

Buffalo, NY 14203

716-853-3801

DONOHUE & PARTNERS, P.C.

Attorney for Defendant

Pamjam, Inc.

90 Broad Street, Suite 1502

New York, NY 10004

212-972-5252

BARRY, MCTIERNAN & MOORE, ESQS.

Attorney for Defendant

Jilco Equipment Leasing Company, Inc.

55 Church Street, Suite 205

White Plains, NY 10601

914-946-1030

PORZIO, BROMBERG & NEWMAN, P.C.

Attorney for Defendants

Thermo King Corp., Ingersoll-Rand Co., Ltd. and

Thermo King Corp., A Unit of Ingersoll-Rand Company, Ltd.

156 West 56th Street Suite 803

New York, NY 10019-3800

212-265-6888

STATE OF NEW YORK)
ss:
COUNTY OF WESTCHESTER)

PAMELA M. HYLAND, being duly sworn deposes and says:

I am not a party to this action. On July 03, 2007, I am over the age of 18 years. I served the annexed **NOTICE FOR DISCOVERY& INSPECTION** upon the attorneys and/or parties listed below by depositing a true copy of the same into the care of the U.S. Postal Service within the State of New York directed to the said attorneys and/or parties as follows:

BURATTI, KAPLAN MCCARTHY & MCCARTHY
Attorney for Plaintiff
One Executive Boulevard - Suite 280
Yonkers, NY 10701

BAUMAN, KUNKIS & OCASCIO-DOUGLAS, P.C.
Attorney for Defendants
Daniel Beltempo & Francine Beltempo
225 West 34th Street
New York, NY 10122

KENNY SHELTON LIPTAK NOWAK, LLP
Attorney for Defendant
Dana's Pro Trucking, Inc.
14 Lafayette Square Suite 510
Buffalo, NY 14203

DONOHUE & PARTNERS, P.C.
Attorney for Defendant
Pamjam, Inc.
90 Broad Street, Suite 1502
New York, NY 10004

BARRY, MCTIERNAN & MOORE, ESQS.
Attorney for Defendant
Jilco Equipment Leasing Company, Inc.
55 Church Street, Suite 205
White Plains, NY 10601

PORZIO, BROMBERG & NEWMAN, P.C.
Attorney for Defendants
Thermo King Corp., Ingersoll-Rand Co., Ltd. and
Thermo King Corp., A Unit of Ingersoll-Rand Company, Ltd.
156 West 56th Street Suite 803
New York, NY 10019-3800

such being the address(es) previously designated for that purpose in the preceding papers in this action or being the last known address for that person. Such service was done in full conformance with Rule 2103 of the CPLR.

PAMELA M. HYLAND

Sworn to Before Me On
July 03, 2007

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PROGRESSIVE NORTHERN INSURANCE
COMPANY.

Plaintiff,

-against-

07CV4033 (CLB)

DANIEL BELTEMPO, FRANCINE BELTEMPO,
PAMJAM, INC., JILCO EQUIPMENT LEASING
COMPANY, INC., DANA'S PRO TRUCKING INC.,
TRAILMOBILE CORP., TRAILMOBILE PARTS AND
SERVICE CORP., THERMO KING CORP.,
INGERSOLL-RAND CO., LTD., and THERMO KING
CORP., A UNIT OF INGERSOLL-RAND COMPANY
LTD.,

Defendants.

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NOTICE FOR DISCOVERY & INSPECTION

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LAW OFFICE OF LORI D. FISHMAN

Attorney for Defendant(s)

303 South Broadway, Suite 435
Tarrytown, N.Y. 10591
(914) 524-5600

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By: _____

George R. Dieter

=====

TO:

Service of a copy of the within is
hereby admitted:
DATED: _____

Attorney(s) for

=====

PLEASE TAKE NOTICE:

NOTICE OF ENTRY

that the within a (certified) true copy of an
duly entered in the office of the clerk of the within named court on

NOTICE OF SETTLEMENT

that an _____, of which the within is a true copy, will be presented for settlement to the
Hon. _____, one of the judges of the within named Court, at _____,
on _____, at _____.

DATED:

Yours, etc.,
LAW OFFICE OF LORI D. FISHMAN